

John G. Borden Middle School Code of Conduct

To achieve a quality education, the school must establish and enforce guidelines and procedures that provide for reasonable order and an atmosphere where learning can take place. It is the purpose of the Middle School Code of Conduct to provide a satisfying, productive and safe environment in which all persons may gain a worthwhile school experience.

As a student at the John G. Borden Middle School you are expected to:

1. Respect authority and comply with school rules
2. Respect the rights and privileges of others and cooperate with all members of the school community
3. Respect school property and property of others
4. Respect yourself by being diligent in studies and profiting from the available educational experiences

Maintaining this type of environment is the role of Board of Education members, administrators, teachers, students and parents. Every student in grades 7-8 has the responsibility of maintaining his/her own good conduct. Self-discipline is essential to the effective operation of our school.

CONDUCT THAT MAY RESULT IN DETENTION, SUSPENSION OR REMOVAL

Items A through U are in effect at all school-sponsored extra-curricular events or activities, including inter-scholastic athletic functions (both home and away), and at any time while on school property, which is defined as "In or within any building, school bus, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school." (Please find steps on page 25. Steps are advisory only)

- A. **HALL PASS RESTRICTION VIOLATION (STEPS 1-5)**
Violators of Hall Pass Restriction will be considered insubordinate.
- B. **CLASS ABSENCE/CUTS (STEP 7)**
Students are required to follow their schedule of classes unless they received permission from each teacher in advance to do otherwise.
- C. **DETENTION CUTS (STEP 7)**
Students must report to detention by 2:20 pm.

D. DISRUPTIVE BEHAVIOR (STEPS 1-7)

- 1) **One who is substantially disruptive of the educational process or substantially interferes with the authority over the classroom.**
- 2) **Those students who are substantially, repeatedly disruptive of the educational process or who substantially, repeatedly interferes with the teacher's authority over the classroom, will be subject to an out-of-school suspension period of up to 5 days (Subject to a modification on a case-by-case basis, based upon the particular circumstances present).**

E. DRUGS/CONTROLLED SUBSTANCES (STEPS 7-8)

- 1) **Selling or attempting to sell, supplying on school property or any school function: alcohol, marijuana, drugs, toxic inhalants or other controlled substances.**
- 2) **Using or possessing or coming onto school property, student parking lots, or coming to any school function while under the influence of: alcohol, marijuana, drugs, toxic inhalants or controlled substances, counterfeit/synthetic drugs or a substance which the individual believes or represents to be such drugs or alcohol.**
- 3) **Selling or attempting to sell, supplying, using or possessing drug paraphernalia.**
- 4) **Possessing prescription medication.**

F. ENDANGERMENT (STEPS 1-9)

- 1) **Causing public inconvenience, annoyance or alarm, or recklessly creating a risk thereof.**
- 2) **Attempting, while on school district property, to use any instrument that appears capable of causing physical injury or death.**
- 3) **Any other offense that endangers the health, safety or well-being of the school population**
- 4) **Arson-Lighting or attempting to light a fire while on school property.**

SUBJECT: JOHN G. BORDEN MIDDLE SCHOOL CODE OF CONDUCT (continued)

- G. FIGHTING (STEPS 7-8)**
While on school property commits an act of violence upon another student or another person lawfully upon school property.
- H. HARASSMENT/BULLYING (STEPS 1-8)**
Any behavior that is done to intimidate, demean, insult, embarrass or have power over another person or group of individuals.
- I. INAPPROPRIATE BEHAVIOR (STEPS 1-8)**
Any behavior that interferes/disrupts the educational process or the rights of any student, staff or faculty member.
- J. INSUBORDINATION (STEPS 1 -8)**
Any action either written, verbal or physical which defies or disrespects authority.
- K. MISREPRESENTATION (STEPS 5-8)**
Refusing to provide name to any staff member that works in the building or giving a false name, forgery, taking or illegally using passes, intentional plagiarism/cheating, lying and failure to display ID upon request.
- L. PROFANITY (STEPS 1-8)**
Using or wearing of garments of abusive or obscene, lewd, vulgar or plainly offensive language or gestures.
- M. RACIAL HARASSMENT (STEPS 5-8) (See page 29)**
Violating the civil rights of any person. Any written, verbal, symbolic or vulgar act directed at or implied toward any person's race, religion or any other civil right. (See District Policy on Discrimination)

- N. SEXUAL HARASSMENT (STEPS 5-8) (See page 28 for Sexual Harassment Procedure)**
Any conduct by a person of the opposite sex or same sex which a reasonable second person, who is the object of such conduct, would conclude is:
- 1. Unwanted touching of a sexual nature of any part of the second person**
-or-
An unwanted expression which scares or embarrasses or offends the second person.
 - 2. Sexual harassment includes but is not limited to:**
 - a) making sexual comments, jokes, gestures or looks;**
 - b) touching, grabbing or pinching in a sexual way;**
 - c) intentionally brushing up against someone;**
 - d) flashing or mooning;**
 - e) spreading sexual rumors about a person;**
 - f) pulling at someone's clothing in a sexual way;**
 - g) showing, giving or leaving sexual pictures, photographs, illustrations, messages or notes;**
 - h) forcing someone to kiss you or do something sexual other than kissing;**
 - i) spying on someone while dressing or showering;**
 - j) calling someone a "fag" or a "lesbian" or "gay".**
 - k) Any written, verbal, symbolic or vulgar act directed at or implied toward any person's gender (identity or expression), sexual orientation or any other civil right. (See District Policy on Discrimination)**

SUBJECT: JOHN G. BORDEN MIDDLE SCHOOL CODE OF CONDUCT (continued)

O. TARDINESS - CUMULATIVE (STEPS 1-7)

Unauthorized/Unexcused tardiness to school (homeroom) and classes as well as study halls. Students are expected to be on time for class or have a pass or excuse explaining their tardiness.

TARDY TO SCHOOL: When students arrive to school late, they are to sign in at the lobby and present a note **SIGNED BY PARENT/GUARDIAN** explaining their tardiness. In emergency situations, students will be allowed to bring a note in the next day.

FIRST TWO (2) LATES TO SCHOOL/CLASS- A WARNING WILL BE GIVEN. ONE (1) DETENTION will be assigned each time the student is late to class three times. Beginning the second semester of school once a student has been given two warnings he/she will be assigned detention each time he/she is late.

CLASS: Arriving late to class breaks up the continuity of instruction and may affect the learning process for all students'. Repeat offenders will be put on hall pass restriction. Students who violate the rules of hall pass restriction will be considered insubordinate and the steps for insubordination will apply.

P. LARCENY OR OTHER THEFT OFFENSE/ POSSESSION OF STOLEN GOODS: (STEPS 3-9)
Theft of money, personal or public property, or theft involved in the breaking or entering of school property. Being in possession of stolen goods while on school property.

Q. TOBACCO, USE/POSSESSION/SUPPLYING (STEPS 1-7)

There will be no use or possession of tobacco, rolling papers, electronic cigarettes, personal vaporizers, e-liquids and any electronic nicotine device or paraphernalia associated with these products, lighters, matches, etc., by students on school property or in the building at any time.

R. TRUANCY (STEP 4-7)

Truancy is the act of staying out of school without the knowledge of the parent.

- S. VIOLENCE (STEPS 7-8)** In accordance with Board of Education Policy #7400 Section D, a violent pupil is defined as any person who:
- 1) Commits a physical, verbal or threatening act upon a teacher, administrator or other school employee.
 - 2) Possesses, while on school district property, a gun, knife, explosive or incendiary device or other dangerous instrument capable of causing physical injury or death.
 - 3) Displays, while on school district property, what appears to be a gun, knife, explosives or incendiary device or other dangerous instrument capable of causing physical injury or death.
 - 4) Threatens, while on school district property, to use any instrument that appears capable of causing physical injury or death.

In accordance with the "Gun Free School Act of 1994", any student who, after a hearing, held pursuant to Education Law Section S 3214, is found guilty of bringing a fire-arm on to school property, will be subjected to a penalty of at least one year suspension from school. However, the Superintendent of Schools may review the penalty and modify such suspensions on a case-by-case basis considering, among other things, the totality of circumstances surrounding the offense and the student's previous record.

"Students classified with disabilities under the Individuals with Disability Education Act (IDEA) or who qualify as a student with a handicap condition under Section 504 of the Rehabilitation Act of 1973, who use or possess a weapon on school property or at a school function, will be disciplined according to the procedures established under applicable federal and state law and regulation."

T. *DESTRUCTION OF SCHOOL PROPERTY (STEPS 2- 9)*

- 1) Knowingly and intentionally damages or destroys personal property of a teacher, administrator, other school district employee, student or any person who is lawfully on school district property.
- 2) Knowingly and intentionally damages or destroys school district property.

U. UNAUTHORIZED RECORDINGS (STEPS 5-8)

- 1) Unauthorized Video/Audio recording and/or picture taking with a cell phone or any recording device during the school day or on the bus and/or to or from school events.

SUBJECT: JOHN G. BORDEN MIDDLE SCHOOL CODE OF CONDUCT (continued)

For any of the above forms of prohibited conduct, the range of penalties which may be imposed upon students (in accordance with Education Law 3214. Part 100 of the Commissioner's Regulations, and the District Code of Conduct and this Middle School Discipline Code) pursuant to the student disciplinary code which includes the following:

1. verbal/written warning and disciplinary conference to review corrective measures
2. written notification to the parents
3. exclusion from extra-curricular activities
4. lunch detention
5. detention
6. removal from a particular class
7. in-school suspension
8. out-of-school suspension and/or Superintendent's hearing
9. repayment where applicable

Depending upon the nature and severity of the violation, it is the desire of the Board of Education that student discipline be progressive, i.e., a student's first violation should merit a lighter penalty than subsequent violations. Since all types of infractions may not be included, disciplinary procedures may be modified at the discretion of Building Administration.

Students on suspension are banned from participating in, or attending extracurricular activities for a period beginning with being notified of the suspension until the beginning of school following the last day of suspension. Students are not permitted to be on school property at any time while serving an out-of-school suspension term.

The following acts will be reported to the Superintendent and local law enforcement officials:

- forcible sexual offenses
- use or possession of weapons
- drug offenses
- assaults resulting in serious physical injury
- serious threat which a reasonable person would perceive as placing in imminent danger.

This Discipline Code is intended to be read and interpreted in a manner consistent with the District-wide Code of Conduct (Policy No. 7400). To the extent any terms or provisions contained herein conflict with the District-wide Code of Conduct the District-wide Code of Conduct will govern.

For any of the above listed offenses, the listed consequences are the range of penalties which may be imposed upon students. Depending on the nature and severity of the violation, it is the desire of the Board of Education that student discipline be progressive, i.e., a student's first violation should merit a lighter penalty than subsequent violations.

Buses

School buses are provided by the District for the safe transportation of all students to and from school. All students are expected to be on time for the morning pick-up. Afternoon dismissal will be directly following the last period class. Late buses (3:50 p.m.) for students participating in after school clubs, athletic activities or staying for detention are scheduled for Monday through Friday. Late buses may not necessarily drop students off at the same location as the 2:12 p.m. bus.

SUBJECT: JOHN G. BORDEN MIDDLE SCHOOL CODE OF CONDUCT (continued)

Bus Rules

All students must obey the bus driver. The bus driver has the right to assign seats to any or all students. A student who is in violation of bus rules will be referred to building administration. Students who violate bus rules are subject to disciplinary action under the Middle School Code of Conduct. Any student who violates the bus rules may be suspended from riding the bus. The parents of a student who has been suspended from riding the bus will have the responsibility of providing transportation to and from school during the time of the loss of privileges.

- 1) Students are to be seated at all times and not change seats unless directed by driver.
- 2) Students must keep their hands, arms, heads, etc., inside the bus.
- 3) Students are not to push, shout or fight.
- 4) Students are not to damage or deface the school bus.
- 5) Students are not to use obscene language.
- 6) Students are not allowed to smoke.
- 7) Students are not to litter.
- 8) Students are not to eat or drink on the bus.
- 9) Students are not to disembark at the high school without written authorization from the main office.
- 10) Students must ride their assigned bus unless they have written authorization from the main office to ride a different one.

Bus Procedures

Any student, who wishes to be discharged at a different stop or ride a different bus on a particular day, must bring a signed note from his or her parents and present the note to the office during the homeroom period. A bus pass will be issued to the student granting permission for the change.

Student who misses the 2:12 p.m. bus is to report to the office for assignment to a supervised area. Students may not leave school property at 2:12 p.m. and return to ride the 3:50 p.m. bus unless permission is granted by Building Principal or Dean of Students.

Students may not walk into town or to the High School at dismissal or at any other time.

Discipline of Students with, or Suspected of Having a Disability

Discipline of students classified as having, or suspected of having, a disability will occur in accordance with the IDEA and/or Section 504 of the Rehabilitation Act of 1973 and the regulations implemented there under, as applicable.

Dignity for All Students Act

The Dignity Act Coordinator for the Middle School is:
Mr. Michael Pritts, Dean of Students (845- 895-7175)

The Dignity Act Coordinator oversees bullying prevention measures and addresses issues surrounding bullying in the Middle School.

**WALLKILL CENTRAL SCHOOL DISTRICT
NOTICE AND SUMMARY OF SEXUAL HARASSMENT PROCEDURE**

1. **Definition:** Any unwelcome conduct of a sexual nature by a person of the opposite sex or same sex, another student, District employee or third party, such as volunteers, vendors, contractors or visitors, which rises to the level of sexual harassment as defined in the District's policies.
 - a. Sexual harassment includes but is not limited to:
 - i. making sexual comments, jokes, gestures or looks;
 - ii. touching, grabbing or pinching in a sexual way;
 - iii. intentionally brushing up against someone;
 - iv. flashing or mooning;
 - v. spreading sexual rumors about a person;
 - vi. pulling at someone's clothing in a sexual way;
 - vii. showing, giving or leaving sexual pictures, photographs, illustrations, messages or notes;
 - viii. forcing someone to kiss you or do something sexual other than kissing;
 - ix. spying on someone while dressing or showering;
 - x. calling someone a "fag" or a "lesbian" or "gay";
 - xi. any written, verbal, symbolic or vulgar act directed at or implied toward any person's gender (identity, expression and nonconformity to gender stereotypes) and/or sexual orientation
2. If you believe you have been subjected to and/or witnessed any of the above conduct, the District requests that you make a report (either oral or in writing) which should be given to a teacher, counselor, assistant principal, the principal or the District Compliance Officer.
3. Your right to privacy will be respected as much as possible.
4. We take seriously all reports of sexual harassment and will take all appropriate actions based on your report. If you believe that you or another individual has been the subject of sexual harassment, you may contact Brian Devincenzi, District Compliance Officer, at 895-7102 for a copy of the Grievance Procedure and for assistance in processing such a grievance.
5. The School District will also take action if anyone tries to retaliate against you because you have reported an incident.
6. This is a summary of the School District procedure against sexual harassment. Complete policies and procedures are available in the District Office upon request.

WALLKILL CENTRAL SCHOOL DISTRICT NOTICE OF NON-DISCRIMINATION

1. All students of the Wallkill Central School District have a right to feel respected and safe. Consequently, we want you to know about our policy to prevent discrimination based on race, color, creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity, expression and nonconformity to gender stereotypes), weight, predisposing genetic characteristics, marital status, military status, and domestic violence victim status. This policy applies to students in connection with all academic, educational, extra-curricular, athletic, and other programs of the school whether they take place in the facilities of the school, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.
2. Discrimination may include, but is not limited to the following, when based on one's membership in a protected category:
 - a. name calling, jokes or rumors;
 - b. pulling on clothing;
 - c. graffiti;
 - d. notes or cartoons;
 - e. unwelcome touching of a person or clothing;
 - f. offensive or graphic posters or book covers;
 - g. any words or actions that make you feel uncomfortable, embarrass you, hurt your feelings or make you feel bad; or
 - h. denial of access to a school program or activity
3. If any words or actions by another student, district personnel, or third party, such as volunteers, vendors, contractors, or visitors, make you feel uncomfortable, embarrassed, angry or unsafe, and you perceive that such conduct is being exhibited as a result of your race, color, creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity, expression and nonconformity to gender stereotypes), weight, predisposing genetic characteristics, marital status, military status, or domestic violence victim status, you must make a report (either oral or in writing) which should be given to a teacher, counselor, assistant principal, the principal or the District Compliance Officer.
4. Your right to privacy will be respected as much as possible.
5. We take seriously all reports of discriminatory conduct and will take all appropriate actions based on your report.
6. The School District will also take action if anyone tries to intimidate you or take action to harm you because you have reported an incident.
7. This is a summary of the School District non-discrimination policy. Complete policies and procedures are available in the District Office upon request.
8. Students considering themselves to have a grievance against the District on the basis of race, color, creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity, expression and nonconformity to gender stereotypes), weight, predisposing genetic characteristics, marital status, military status, or domestic violence victim status may contact Brian Devincenzi, District Compliance Officer, at 895-7102 for a copy of the Grievance Procedure and for assistance in processing such a grievance.